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Attorneys for Defendant Prager Metis CPAs,  
LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

RUSSELL HAWKINS, Individually and On  
Behalf of All Others Similarly Situated,  
  
Plaintiff,

v.

SAMUEL BANKMAN-FRIED, CAROLINE  
ELLISON, ZIXIAO “GARY” WANG,  
NISHAD SINGH, ARMANINO LLP, and  
PRAGER METIS CPAS, LLC,

Defendants.

Case Nos. 22-cv-07444–JSC (*Pierce*)  
22-cv-07620-JSC (*Hawkins*)  
23-cv-00024-JSC (*Papadakis*)

**ADMINISTRATIVE L.R. 7-11 REQUEST  
FOR AN ORDER CONTINUING CASE  
MANAGEMENT CONFERENCES**

STEPHEN T. PIERCE, individually and on  
behalf of other members of the general public  
similarly situated,

Plaintiff,

v.

SAM BANKMAN-FRIED, CAROLINE  
ELLISON, ZIXIAO WANG, NISHAD SINGH,  
ARMANINO LLP and PRAGER METIS CPA's,

Defendants.

JULIE PAPADAKIS, individually and on  
behalf of other members of the general public  
similarly situated,

Plaintiff,

v.

SAM BANKMAN-FRIED, CAROLINE  
ELLISON, ZIXIAO WANG, NISHAD SINGH,  
ARMANINO LLP and PRAGER METIS CPA's,

Defendants.

TO THE COURT, ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF  
RECORD, PLEASE TAKE NOTICE that pursuant to Civil Local Rule 7-11, Defendants Armanino  
LLP and Prager Metis CPAs, LLC ("Defendants") hereby jointly and respectfully move this Court  
for an Order Continuing the Case Management Conferences in the *Pierce, Hawkins* and *Papadakis*  
actions. The CMCs in these three actions are set on May 26, 2023, as are the CMCs in the *Lam* (21-  
cv-07336-JSC) and *Jessup* (22-cv-07666-JSC) actions (with *Pierce, Hawkins* and *Papadakis*, the  
"Related Actions").

The Related Actions are the subject of a Multidistrict Litigation Petition pending before the  
Joint Panel on Multidistrict Litigation. The JPML will hear argument on the MDL Petition on May  
25, 2023. The JPML likely will not rule on the Petition until June. The JPML's ruling will clarify  
whether the Related Actions will remain in the Northern District of California or be transferred to

another venue. Defendants request that the Court continue the CMCs in *Pierce, Hawkins* and *Papadakis* until after the JPML rules on the MDL Petition.<sup>1</sup>

On March 24, 2023 Plaintiffs requested that the Court continue the CMCs in the Lam, Pierce, Hawkins and Jessup actions, and set “the CMCs ... for Thursday, May 25, 2023 or a later date.” (Pls.’ Administrative L.R. 7-11 Request at 3, ECF 41.) Plaintiffs’ proffered order proposed that the Court “reschedule[] [the CMCs] for May 25, 2023.” (See ECF 41-2.) On March 28, 2023, the Court granted Plaintiffs’ Administrative Request, rescheduling the CMCs for May 26. (See Order, ECF No. 42.)

Under the current schedule, at the CMCs the Court will not have the benefit of knowing the outcome of the MDL Petition. The JPML will have heard argument on the Petition but not yet ruled. The JPML’s ruling could moot the CMCs (if the actions are transferred elsewhere), or at least affect case management (if the actions are transferred to the Northern District of California, as many parties have requested).

An additional 30-day continuance will almost certainly provide sufficient time for the JPML to rule before the CMCs. Such a schedule creates efficiencies for the Court and the parties, and is in the interest of justice.

For the foregoing reasons, the Court should grant the relief requested herein and continue the CMCs for 30 days.

Dated: May 18, 2023

**HUNTON ANDREWS KURTH LLP**

By: /s/ Ann Marie Mortimer

Ann Marie Mortimer  
Kirk A. Hornbeck  
Matthew P. Boshier  
Thomas R. Waskom

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<sup>1</sup> Defendants anticipate that a continuance in *Pierce, Hawkins* and *Papadakis* would also apply to *Lam* and *Jessup*, but Defendants are not parties to those actions, so lack standing to make that request.

Dated: May 18, 2023

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